



## **GAE Committee**

**March 4, 2022**

### **TESTIMONY OF SECRETARY OF THE STATE DENISE W. MERRILL REGARDING:**

- **S.B. No. 184, AN ACT EXTENDING THROUGH NOVEMBER 8, 2022, SEVERAL CHANGES REGARDING ELECTION ADMINISTRATION AS A RESULT OF COVID-19 AND CONCERNING ELIGIBILITY TO VOTE BY ABSENTEE BALLOT**
- **H.B. No. 5262, AN ACT REVISING CERTAIN ABSENTEE VOTING ELIGIBILITY STATUTES**

Good morning Co-Chairs Flexer and Fox, Ranking Members Sampson and Mastrofrancesco, Vice Chairs Haskell, and Thomas, and members of the committee. My name is Denise Merrill, and I am the Secretary of the State of Connecticut. I would like to address several bills before the committee.

Both S.B. No. 184, AN ACT EXTENDING THROUGH NOVEMBER 8, 2022, SEVERAL CHANGES REGARDING ELECTION ADMINISTRATION AS A RESULT OF COVID-19 AND CONCERNING ELIGIBILITY TO VOTE BY ABSENTEE BALLOT and H.B. No. 5262, AN ACT REVISING CERTAIN ABSENTEE VOTING ELIGIBILITY STATUTES would change the state statutes defining who could use the absentee balloting procedure to conform the language in statute to the language in the Connecticut Constitution. The Connecticut Constitution currently allows voters access to absentee ballots because of “absence from the city or town of which they are inhabitants of” and because of “sickness.” This bill would enshrine the Constitutional language in statute.

Although this change in language would make it somewhat easier for a voter to vote by absentee ballot, and I support this proposal, it does not allow universal access to absentee ballots without requiring the voter to provide an excuse. It is an important, and reasonable, step to take while the constitutional amendment to allow all voters access to vote by absentee ballot if they chose to do so is waiting for the second approval by the legislature in 2023 or 2024 and ultimately the voters in 2024.

S.B. No. 184, AN ACT EXTENDING THROUGH NOVEMBER 8, 2022, SEVERAL CHANGES REGARDING ELECTION ADMINISTRATION AS A RESULT OF COVID-19 AND CONCERNING ELIGIBILITY TO VOTE BY ABSENTEE BALLOT would also extend temporary changes to the absentee ballot statutes made by the legislature in the last two years to continue through the 2022 election.

The legislature made these changes for the election in November 2020 because the COVID-19 crisis necessitated allowing Connecticut voters to vote by absentee ballot if they chose to do so. The legislature then extended those changes at the height of the COVID-19 Delta variant. The Connecticut Supreme Court decided in August 2020, with an opinion issued in February 2021, that this measure is constitutional, holding that allowing voters to choose to vote by absentee ballot due to COVID-19 “represents a considered judgment by our political branches that the limited expansion of absentee voting is an appropriate measure to protect public health and suffrage rights during the exceptional circumstance of a pandemic...”

Since that time, another variant, Omicron has spread across the world and appears to now be receding. The COVID-19 pandemic is ongoing, and we simply don’t know when another variant will emerge, how fast it will spread, how severe it will be, or when it will peak.

Voters voting in this fall’s elections should be allowed to choose to vote by absentee ballot if they desire and should not be forced into a potential choice between their health and their right to vote. Every voter and group that I speak to makes the same request – let us choose to protect our health and vote by absentee ballot in 2022. Allowing voters to be able to request an absentee ballot using COVID-19 as an excuse would be a welcome change as the COVID-19 pandemic continues and new variants emerge.

I support these common-sense, voter-centric, bills.